

3626
JFW

Appln. No. 09/883,557
Amdt dated March 10, 2005
Reply to Office Action of February 25, 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	)	<u>CERTIFICATE OF MAILING</u>
)	
MARTIN D. KOENIG ET AL	)	I hereby certify that this correspondence is
	)	being deposited with the United States
Application No.: 09/883,557	)	Postal Service with sufficient postage as
	)	first class mail in an envelope addressed to:
Filed: 06/18/2001	)	Commissioner of Patents, P.O. Box 1450,
	)	Alexandria, VA 22313-1450, on this 10th
Group Art Unit: 3626	)	day of March, 2005.
)	
Examiner: Alexander G. Kalinowski)	
	)	<i>Barbara A. Johnson</i> <u>3-10-05</u>
METHOD OF PRODUCT	)	Barbara A. Johnson Date
PROCUREMENT AND CASH FLOW)	
INCLUDING A MANUFACTURER,)	
A TRANSLATION FACILITATOR,)	
AND THIRD PARTY PAYOR)	

RESPONSE TO NON-COMPLIANT AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper to a Notice of Non-Compliant Amendment mailed February 25, 2005. The Notice of Non-Compliant Amendment addressed the Amendment filed by the applicant on January 11, 2005.

In the Notice of Non-Complaint Amendment, the Legal Instruments Examiner indicated that the listing of claims did not include the text of all pending claims. Specifically, the Notice stated that claims 3 and 9 have no text.

After reviewing the Amendment filed on January 11, 2005, the objection to the Amendment by the Examiner appears to be improper. Claims 3 and 9 identified by the Examiner have been cancelled and, as such, the text of the claim should not be presented. Specifically, 37 CFR 1.21(c)(4)(i) specifically states that no claim text shall be presented for any claim in the claim listing with the status of "Canceled" or "Not Entered".

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The Examiner is requested to withdraw the Notice of Non-Compliant Amendment and forward the Amendment to the Examiner for further prosecution on the merits.

The Examiner is invited to contact the applicant's undersigned attorney with any questions or comments, or to otherwise facilitate prosecution of the application.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

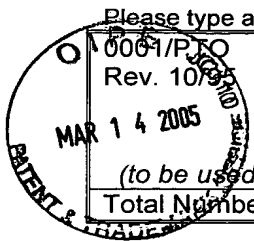
A handwritten signature in black ink, appearing to read "Joseph D. Kuborn", with a stylized flourish at the end.

Joseph D. Kuborn
Reg. No. 40,689

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Please type a plus sign (+) inside this box [+]

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of pages in this Submission 3

Application Number	09/883,557
Filing Date	06/18/2001
First Named Inventor	Martin D. Koenig
Group Art Unit	3626
Examiner Name	Alexander G. Kalinowski
Attorney Docket Number	4437-00002

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment
- ☐ After final
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement/PTO-1449
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts Under 37 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Checklist and Accompanying Petition
- ☐ To Convert a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Terminal Disclaimer

- ☐ After Allowance Communication To Group
- ☐ Appeal Communication to Board Of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (Please identify below)

Return receipt postcard
Response to Non-Compliant Amendment

Remarks


SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name	Joseph D. Kuborn, Reg. No. 40,689 ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202
Signature	
Date	March 10, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

March 10, 2005

Typed or printed name	Barbara A. Johnson		
Signature		Date	3/10/2005